

R E M A R K S

Claims 1, 2, 5, 7, 9, 13, 15-19, 22, 23, 27, 28, and 32 were objected to because, according to the Examiner, "the acronym (such POTS CPE) used in the claims should be abbreviated." Applicant guesses that the word "not" is missing, and that the Examiner meant to state that, instead of the acronym, the phrase that is represented by the acronym should be used. Relative to the above reason, applicant respectfully traverses. As for the objection to claims 6, 9, 15-19 and 27 on other grounds, the claims are amended, as suggested by the Examiner to overcome the objection.

Addressing the traversal, applicant respectfully submits the following: First, the Examiner may set requirements regarding claims, but only to comply with the statute and enabling regulations. However, the Examiner has not asserted a correspondence of the alleged deficiency in applicant's claims to any statute or regulation and, so there is no valid basis for this requirement. Second, the undersigned searched both 37 CFR and the MPEP and found that, other than a reference to the French acronym UPOV relative to wholly unrelated matter, the notion of acronyms is not even addressed in the Regulations or in the MPEP. Hence, at least in explicit term, there is no prohibition against use of acronyms. Third, the use of acronyms *per se* does not introduce ambiguities if they are clearly explained in the specification, and certainly do not introduce ambiguities if they are commonly used in the art. Fourth, the acronyms POTS, and CPE are extremely well known in the art to which applicant's invention pertains. Fifth, the PTO database contains a large number of patents with "POTS" in the claims and a large number of patents with "CPE" in the claims. Three patent include **both** the acronym CPE, and the acronym POTS. Each of the above reasons is believed sufficient to overcome the Examiner's objection.

Claims 1-5, 7-10, 13-23, 27-30, 31-34, and 36 were rejected under 35 USC 102 as being anticipated by Ardon, US Patent 5,699,419. Applicant respectfully traverses.

Ardon describes a first embodiment (FIG. 1) where a telephone central office includes a switch (1), and that switch includes a switching module 5. Lines emanate from the central office, and more particularly from switching module 5, to telephones at a customer's premises; i.e. customer premises equipment (CPE). Claim 1, in contradistinction, defines an apparatus that comprises a first port that is connected to a

telecommunications network, and a switch that is interposed between the first port and customer premises equipment (CPE). The switch receives signals from a central office via this first port. The above-described Ardon embodiment does not have such a port (since the switch is within the central office) and, therefore, that embodiment does not anticipate claim 1.

Ardon also describes a second embodiment (FIG. 3), which has a switching module on the customer premises. It connects to the central office (presumably, through a telecommunication network). However, the connection to the central office is adapted to carry more than one communication session at a time (see col. 7, lines 2-4), and such a signal-multiplexed connection is not a POTS connection. In contradistinction, amended claim 1 specifies that the port of the apparatus, which is a customer premises apparatus, is a port that interfaces with a telecommunication network via plain-old-telephone-service (POTS) signaling format. Since the port of Ardon's FIG. 3 does not so interface, claim 1 is not anticipated by Ardon.

Ardon describes a third embodiment (FIG. 7), which the Examiner refers to in his remarks. This embodiment shows an arrangement for connecting a telephone (i.e. a single CPE) to the network via **two** connections. While it may be that the ports by which the switching units, such as unit 804, are POTS ports, the arrangement describes only a single CPE port -- in the case of unit 804, that being connected to telephone 802 -- whereas amended claim 1 specifies a plurality of CPE ports. Therefore, the FIG. 7 embodiment also does not anticipate amended claim 1.

It is respectfully submitted that none of the embodiments described by Ardon anticipate amended claim 1. Consequently, rejected claims 2-5, and 7-10, which depend on claim 1, are also not anticipated by Ardon.

In connection with numerous claims (both those that depend on claim 1, and on other independent claims) the Examiner points to col. 9, lines 1-23. The cited text states:

Telephone 801 is connected to a control unit 804 according to this invention. Telephone 802 could also incorporate control unit 804 without departing from the scope of this invention. Control unit 804 is connected via line 806 to switch 1, and line 808 to switch 2. Both switch 1 and switch 2 are connected to tandem switch 809 via trunks, as is known in the art. In this exemplary embodiment of this invention, tandem switch delivers calls for a specific office code, for example 979,

to both switches 1 and 2. Tandem switch may deliver these calls by alternating between offices or by an algorithm for load distribution. Switch 1 delivers calls for the DN associated with telephone 802 on line 806, and switch 2 delivers calls for the DN associated with telephone 802 via line 808, as is known in the art. When a call comes in for telephone 802 from, for example, switch 1, an FSK encoded TCLID sent on line 806. FSK converter 810 receives the FSK signal, translates it and delivers it to processor 812. Processor 812 determines how to connect switch matrix 814 by consulting programs and data stored in memory 816. Processor 812 configures switch matrix 814 to connect line 806 to telephone 802 and causes signaling unit 818 to cause an alerting signal to be given at telephone 802.

In connection with claim 2, the Examiner asserts that the above-quoted passage teaches delivery of a call to a POTS CPE port, and that the call -- which the Examiner equates to a message of the claim 2 messages -- is "taken from a set that includes an alert signal. Applicant respectfully disagrees. First, a "call" is a word that is used to describe the general process of telephone communication. In other words, a "call" is all that the central office delivers. It encompasses everything. In contradistinction, claim 1 specifies one or more special messages. A call does not qualify as a special message because any special message must be of the type that admits of other special messages, and a call -- since it subsumes everything, does not admit of other special messages. Second, a call is NOT taken from a set that includes an alert signal because (a) a call can be said to subsume the alert signal (and therefore it is not a different member of the set that includes an alert signal), and (b) the above-quoted passage does not teach a communicated alert signal at all. All that it teaches is that processor 812 causes signaling unit 818 to generate an alert signal. Thus, no alert signal actually arrives from the central office. For the above reasons, it is respectfully submitted that claim 2 is not anticipated by Ardon.

In connection with claim 3, the Examiner points to the same language and asserts that one or more FSK signals are embedded in an alert signal. There is absolutely no support for this assertion in the above-quoted language. It is true that FSK signals are sent from the central office. But that does not means that, *ipso facto*, these signals have any association any alert signals that may be sent by the central office (whether they come before, embedded in, or come later). In fact, as demonstrated above, there are no alert signals that are provided by the central office.

This argument applies to claims 8, 10 and 18 as well.

Claim 13 specifies that that called number information is embedded in an alert signal. As explained above, Ardon does not describe such an arrangement, and the Ardon apparatus cannot respond to such signaling. Therefore, applicant respectfully submits that claim 13 is not anticipated by Ardon. Additionally, claim 13 specifies that the apparatus comprises a POTS network port to which the control module responds, and that it includes a plurality of POTS CPE ports (FIG. 3 has a plurality of CPE ports by not a POTS network port, and FIG. 7 might have a POTS network port but only a single CPE port). Thus, Ardon does not describe such an apparatus and, therefore, claim 13 is -- for this reason as well -- not anticipated by Ardon.

In short, for essentially the same reasons that claim 1 is not anticipated by Ardon, applicant believes that claim 13 is not anticipated by Ardon. Consequently, rejected claims 14-23, which depend on claim 13 are also not anticipated by Ardon.

Regarding claim 14, the Examiner asserts that the called number information is "embedded in an alerting signal inherently in the form of ringing signal burst within a ringing signal." Respectfully neither the above-quoted col. 9 passage nor the abstract teach this. That is, the col. 9 passage does not teach an alert signal, does not teach that TCLID is embedded in that signal, and there is nothing inherent about an alert signal's format -- taught by Ardon, or otherwise. Similarly the abstract teaches FSK encoded signals (messages) that the central office switch sends, but there is no teaching of any alert signals being sent. The only reference to alert signals is that the keysets decode a signal and then alert the users. Based on the teachings within the patent, it is known that the alert signal is generated locally, within the customer premises.

Regarding claim 15, the Examiner points to FIG. 6 and to a passage at col. 3, lines 20-29. Respectfully, the citation misses its mark. What the Examiner pointed to is the display on a telephone. What claim 15 defines, in contradistinction, is a display on the claimed apparatus to which a telephone may connect.

As for claim 19, the Examiner points to col. 8, lines 1-21. This passage, however, refers to an embodiment on FIG. 4 (and not on FIG. 7 -- which the Examiner used in connection with the base claim 13 (as amended per the Examiner's comment) or with the base claim 1 (prior to the amendment). Respectfully, the Examiner is not free to pick "one from column A and one from column B," so to speak. If the Examiner wishes to

employ the FIG. 4 teachings for a dependent claim, the same FIG. 4 must be used for the independent base claim. Here, FIG. 4 is essentially the same as FIG. 3, differing only in that it has more than one line coming in. The FIG. 3 incoming line is multiplexed and it, therefore, does NOT correspond to either claim 1 or claim 13.

In connection with claim 20, the Examiner asserts that the Ardon processor detects an FSK signal that includes a number to be stored. Respectfully that is simply not so. The signal FSK signal that the Ardon processor handles is the signal that identifies the called party. It is a mere identifier of the destination. It is NOT "to be stored." Actually, the Examiner effectively admits that there is no teaching of any storing in the following comment, which is "causes the signaling unit ... to inherently store the number..." (emphasis supplied). Respectfully, there is nothing that is inherent about storing. A signal that is received may be processed and NOT stored, may be just stored, or may be processed and stored. There is no inherent requirement to store. In the case at hand, when a call comes in, and the incoming call contains the called number, there is no need to store, or purpose for storing. The number is the called number ID, and either the receiving apparatus is the intended destination, or not. In either event the number is not stored. This argument applies to claims 21 and 22 as well.

As for amended independent claim 27, it specifies a first module that is coupled to a first port, where the module is adapted "for receiving from said first port a non-multiplexed baseband signal." The Ardon reference does not have such a module and, therefore, it is believed that amended claim 27 is not anticipated by the reference, and neither are rejected claims 28-30, which depend on claim 27. Additionally, claim 27 specifies a plurality of switches equal in number to the number of POTS CPE ports. The Examiner refers to the rejection of claim 1 and, therefore, the Examiner effectively employs the FIG. 7 embodiment in the rejection of claim 27. However, neither the FIG. 7 embodiment nor any of the other figures show an apparatus that contains a plurality of switches. To overcome an assertion that the switch matrix corresponds to the plurality of switches, claim 27 is amended to specify that the switches are separate from each other.

As for independent claim 32, it is amended to specify that the step of ascertaining (whether at least one other call attribute is met) pertains to a set of attributes that includes

caller ID, time of day, date, and type of call. Ardon does not describe this and, therefore, claim 32 is believed not anticipated.

Claims 6, 11, 12, 24-26 and 35 were rejected under 35 USC 103 as being unpatentable over Ardon in view of Swan et al, US Patent 6,134,320. Applicant respectfully traverses, at least based on the fact that the independent claims on which these claims depend are patentable. Moreover, the following arguments apply.

In connection with claim 12 the Examiner asserts that selecting a call based on the caller party's ID corresponds to selecting based on a type of call. Applicant respectfully disagrees. A called party ID identifies the destination of a call; not its type. A "type" of a call characterizes the call. Not its destination. Moreover, claim 12 on its face illustrates what are call "types," and neither the caller ID nor the called party ID is a "type" of a call.

As for claim 24, the Examiner points to col. 7, lines 21-23 of the Swan et al reference for its teaching of a hardware address. The hardware address that Swan et al teach is the interface within the customer premises that allows the computer to control access to and from the POTS telephones. In the context of applicant's claimed apparatus, this is equivalent to a hardware address of a unit interposed between the input and the CPE ports. This is not an address of the claimed apparatus (by which the central office -- rather than the customer premises computer (PCC) -- can access the apparatus.

As for claim 25, the Examiner asserts that Ardon's FIGS. 4, 6, 7, col. 3 lines 7-33, and col. 9, lines 1-23 teach "terminating calling line identification (TCLID) (i.e., called number) that is unlisted in a directory that is accessible to everyone." Applicant respectfully disagrees. Nowhere in the cited figures or text passages is there any mention of number directories, and there is no notion of directory numbers that are accessible to everyone -- in contrast to anything else, such as numbers that are NOT accessible to everyone. Indeed, claim 24 employs the notion of unlisted numbers, and this notion is also wholly absent from the cited figures and cited text passages.

Claim 26 depends on claim 25. Moreover, the arguments presented above in connection with claim 12 apply to claim 26. The same is true for claim 35.

In light of the above amendments and remarks, applicant respectfully submits that all of the Examiner's objections and rejections have been overcome. Reconsideration and allowance are, therefore, respectfully solicited.

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